

1 KEVIN V. RYAN (CABN 118321)
2 United States Attorney
3
4 MARK L. KROTKO (CABN 138549)
5 Chief, Criminal Division
6
7 KIRSTIN M. AULT (CABN 206052)
8 Assistant U.S. Attorney
9
10 450 Golden Gate Ave., Box 36055
11 San Francisco, CA 94102
12 Telephone: (415) 436-6960
13 Facsimile: (415) 436-7234

FILED
NOV 2 2006
RICHARD W. WILKINS
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

14 Attorneys for the United States

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18
19
20 UNITED STATES OF AMERICA,) CRIMINAL NO. 3 06 70718
21 Plaintiff,)
22 v.)
23 FRANK TOLENTINO,)
24 Defendant.)
25
26
27
28

EMC
NOTICE OF PROCEEDINGS ON OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

29 Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal
30 Procedure that on or about November 2, 2006, the above-named defendant was arrested based
31 upon an arrest warrant (copy attached) issued in case number 06-80155 in the Southern District
32 of Florida, upon an

33 Indictment
34 Information
35 Criminal Complaint
36 Other (describe)

1 In that case, the defendant is charged with a violation of Title 21, United States Code,
2 Section 841, distribution of a controlled substance.

3 Description of Charges: Defendant mailed 50 grams or more of a mixture and substance
4 containing methamphetamine to Florida, in violation of Title 21, United States Code, Section
5 841.

6
7 Respectfully Submitted,

8 KEVIN V. RYAN
9 UNITED STATES ATTORNEY

10
11 Date: 11-2-06

12 
13 KIRSTIN M. AULT
14 Assistant U.S. Attorney

CR 12 (Rev. 9/82)

WARRANT FOR ARREST

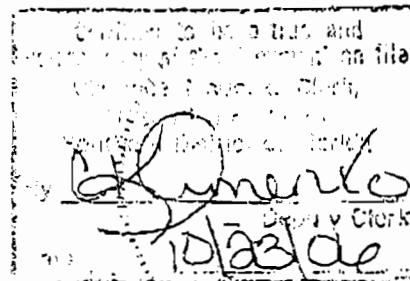
AUSA Rabinowitz/ Grimming DEA/F

United States District Court		DISTRICT Southern District of Florida
UNITED STATES OF AMERICA v. FRANK TOLENTINO		DOCKET 01-80155-02-mj-10784-1 NAME AND ADDRESS OF INDIVIDUAL TO BE FRANK TOLENTINO 1069 Kitchenen Circle San Jose, CA 95121
WARRANT ISSUED ON THE BASIS OF <input type="checkbox"/> Order of Court <input checked="" type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint		DOB: 08/01/71; SSN: 624-09-5761; W/M
TO: United States Marshal's Service or any other authorized representative		DISTRICT OF ARREST CITY

YOU ARE HEREBY COMMANDED to arrest the above-named
person and bring that person

DESCRIPTION OF CHARGES

Did knowingly distribute a controlled substance.



IN VIOLATION OF	UNITED STATES CODE 21	SECTION 841(a)(1); 841(b)(1)(B) and (C)
BAIL FIXED BY COURT 10-10-06	OTHER CONDITIONS OF RELEASE	
ORDERED BY JAMES M. HOPKINS UNITED STATES MAGISTRATE JUDGE CLERK OF COURT CLARENCE MADDOX	SIGNATURE (JUDGE/U.S. DEPUTY CLERK CLARENCE MADDOX)	DATE 10-10-06
	(BY) DEPUTY CLERK CLARENCE MADDOX	DATE ISSUED 10/23/06
RETURN		

This warrant was received and executed with the arrest of the above-named person.

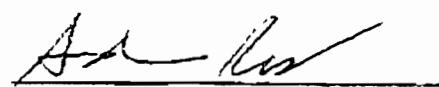
DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE EXECUTED	COPY - NOT FOR EXECUTION U.S. Marshal has ORIGINAL	

¹United States Judge or Judge of a State Court of Record

BOND RECOMMENDATION

FRANK TOLENTINO
Defendant

Pretrial Detention Bond is recommended.



ADRIENNE RABINOWITZ
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-80185-CR-Middlebrook

21 USC § 841(a)(1)

21 USC §§ 841(b)(1)(B) and (C)

Johnson

UNITED STATES OF AMERICA,

v.

FRANK TOLENTINO,

Defendant.

INDICTMENT

The Grand Jury charges that:

COUNT ONE

On or about July 6, 2006, at Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

FRANK TOLENTINO,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was in fact a mixture and substance containing a detectable amount of methamphetamine hydrochloride, its salts, isomers, and salts of its isomers.

COUNT TWO

On or about August 10, 2006, at Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

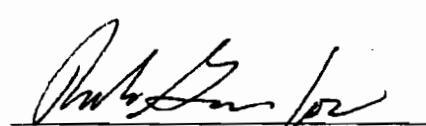
FRANK TOLENTINO,

did knowingly and intentionally distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(B), it is further alleged that the controlled substance was in fact at least fifty (50) grams of a mixture and substance containing a detectable amount of methamphetamine hydrochloride, its salts, isomers, and salts of its isomers.

A TRUE BILL

~~Foreperson~~


R. ALEXANDER ACOSTA
UNITED STATES ATTORNEY


ADRIENNE RABINOWITZ
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: FRANK TOLENTINO

Case No: _____

Count #: 1

21 U.S.C §841(a)(1); 841(b)(1)(C)

* Max.Penalty: 20 Years Imprisonment, supervised release of 3 years to life, \$1,000,000 Fine

Count #: 2

21 U.S.C §841(a)(1); 841(b)(1)(B)

*Max. Penalty: 40 Years Imprisonment, supervised release of 4 years to life, \$2,000,000 Fine

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

Count #:

*Max. Penalty:

*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.